THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.26762 of 2006

22.2.2007

Between:

Vommi Seetaiah, S/o.Appala Swamy
And others

… Petitioners

AND

The Serepalem Gram Panchayat, Serepalem, Mogalthur Mandal, West Godavari District, represented by its Secretary
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.26762 of 2006

ORDER:

The petitioners are residents of Seripalem village of Mogalthur Mandal in West Godavari District. They allege that respondents are taking steps to assign the tank-bed land in R.S.No.247 of the village as house sites. They further allege that the second respondent along with subordinate officials conducted survey and informed the petitioners that the non-water spread area of the tank would be assigned as house sites. They approached the Sarpanch of the Gram Panchayat for redressal, in vain. Therefore, they filed the present writ petition.

There cannot be any doubt that when the Government land proposed to be assigned is vested in the Gram Panchayat, the revenue officials have to obtain no objection from the Gram Panchayat. As of now, the Gram Panchayat have not expressed their opinion in this regard, and therefore, the petitioners may pursue their remedy with the Gram Panchayat. The first respondent may take up the issue immediately and take appropriate decision in the matter.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO,J**)

February 22, 2007.
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